



Patent
Case No.: 56139US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: TAN, LIAN SOON

Application No.: 09/880269

Group Art Unit: 1771

Filed: June 13, 2001

Examiner: Vo, Hai

Title: UNCROSSLINKED FOAMS MADE FROM EMULSIONS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

20 May 2004
Date

Renee A. Wolff
Signed by: Renee A. Wolff

Dear Sir:

This is in response to the Office Action mailed March 23, 2004. Claims 1-22 are pending.

Claims 1-22 were restricted under 35 USC § 121 as follows:

- I. Claims 1-16 are said to be drawn to a process of making uncrosslinked foam, classified in Class 521, subclass 65;
- II. Claims 17-22 are said to be drawn to an uncrosslinked foam, classified in Class 428, subclass 317.9;

Election

In response, Applicants elect Group I with traverse.

Reconsideration and withdrawal or modification of the restriction requirement is respectfully requested.

Applicants submit that the Groups I and II claims are so interrelated that a search of one group of claims will reveal art to the other. Moreover, the classification of Groups I and II claims in different classes and subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I and II, a separate examination of the claims in Groups I and II would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II would have to

be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II, it would place an undue burden by requiring payment of a separate filing fee for examination of the nonelected claims, as well as the added costs associated with prosecuting two applications and maintaining two patents.

Conclusion

Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

5-20-04

Date

By:



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